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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,623	11/30/2000	Ron Cohen	50325-0503	5418

29989 7590 03/18/2004

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EXAMINER

JUNTIMA, NITTAYA

ART UNIT PAPER NUMBER

2663

DATE MAILED: 03/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/729,623

Applicant(s)

COHEN ET AL.

Examiner

Nittaya Juntima

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-29 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This application is in condition for allowance except for the following formal matters:

A. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: it does not identify the city and either state or foreign country of residence of the first inventor, Ron Cohen. The residence information may be provided on either on an application data sheet or supplemental oath or declaration.

B. The disclosure is objected to because of the following informalities: the sentence on lines 7-10 on page 17 of the specification is incomplete. Appropriate correction is required.

C. Claims 1, 4, 7, 12-13, 19-20, and 25-26 are objected to because of the following informalities:

- in claim 1, line 6, "DSCP" should be spelled out as "Differentiated Services Codepoint;"

line 11, "and" should be added after "flow" ;

- in claim 4, line 2, "and" should be added after "flow" ;
- in claim 7, line 8, "DSCP" should be spelled out as "Differentiated Services Codepoint;"

line 13, "and" should be added after "flow" ;

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- in claim 12, line 3, “and” should be added after “flow” ;
- in claim 13, line 8, “DSCP” should be spelled out as “Differentiated Services

Codepoint;”

line 11, “and” should be added after “flow” ;

- in claim 19, line 2, “and” should be added after “flow” ;
- in claim 20, lines 6 and 16, “and” should be added after “flow,” and

line 11, “DSCP” should be spelled out as “Differentiated Services

Codepoint;”

- claims 20-23 on page 29 should be renumbered as claims 21-24, respectively, and line 1, “Claim 19” should be changed to “Claim 20” ;
- claim 24 on page 30 should be renumbered as claim 25, and line 1, “Claim 19” should be changed to “Claim 20” and line 4, “and” should be added after “flow” ;
- claim 25 on page 30 should be renumbered as claim 26 and line 5, “DSCP” should be spelled out as “Differentiated Services Codepoint” and line 13, “and” should be added after “flow” ;
- claim 26 on page 30 should be renumbered as claim 26, and line 1, “Claim 25” should be changed to “Claim 26” ;
- claim 27 on page 30 should be renumbered as claim 27; and claim 28 on page 31 should be renumbered as claim 29.

Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

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A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

2. Claims 1-29 are allowed. The cited prior arts alone or in combination fail to teach or make obvious on the following:

→ in claims 1, 7, 13, and 20: determining that one or more packets in the originating packet flow are marked with a DSCP value that matches a policy rule that requires setting a specified DSCP value in the return packet flow;

creating and storing information identifying the originating packet flow and a second DSCP value for marking the return packet flow;

receiving the return packet flow and determining that it is associated with the originating packet flow;

→ in claim 26: receiving the return packet flow and determining that it is associated with the originating packet flow;

when one or more packets in the originating packet flow are marked with the first DSCP value, marking packets of the return packet flow with the second DSCP value; and

when one or more packets in the originating packet flow are marked with the second DSCP value, passing packets of the return packet flow without modification of DSCP values in such packets.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 703-306-4821. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 703-308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nittaya Juntima
March 11, 2004

NJ



CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600